

effective on their crops, then they may use cyanazine at that rate.

C. Impact of Agency's Decision on Applicator Exposure

1. *Comment.* Vermont also asserts that, because "...the original cancellation decision was based in part on concern for applicator exposure,...postponing reductions in the use rate sends a contradictory message that the concern for applicator health and safety may not have been such an important issue in the first place. [Vermont] is fully aware of the argument that cumulative exposure over the entire phase-out period would not be changed. That justification does not serve the objective of encouraging pesticide applicators to change their pesticide use behaviors and crop management practices on a day-to-day basis."

2. *Response.* EPA remains concerned for applicator health and safety. The phase-out required that closed cab application equipment be used by all cyanazine mixer/loaders and applicators beginning in 1998 (61 FR 39023). This requirement remains unchanged, and demonstrates the Agency's commitment to reducing exposure to workers during the phase-out period. Both DuPont and Griffin have ceased production of cyanazine. Therefore, although the allowable maximum application rate will be three times what it would have been under the original terms of the phase-out, no more cyanazine than what was originally anticipated to be applied will actually be applied between 1998 and 2002.

The cyanazine phase-out was intended to reduce exposure to cyanazine and to eliminate cyanazine use by 2002. It was not specifically intended to encourage pesticide applicators to change their pesticide use behaviors and crop management practices on a day-to-day basis. However, this is a valid objective that the State of Vermont can pursue under state law if it chooses.

D. Existing Stocks; Atypical Weather Patterns

1. *Comment.* Although Vermont understands the concerns regarding the level of existing stocks remaining at the end of the cancellation period, it points out that "managing the inventory of cyanazine is not the Agency's responsibility. The issue of existing stocks would be a reasonable consideration if the Agency had any indemnity liability under FIFRA Section 15. As that is not the case with cyanazine, the Agency should not concern itself with the question of existing stocks."

2. *Response.* The Agency disagrees with Vermont that EPA should not concern itself with the question of existing stocks. Existing stocks of pesticides can pose risks which may not be adequately mitigated by hazardous waste regulatory provisions. Hence, the Agency believes that it is proper to consider existing stock concerns when implementing cancellation orders, especially so when the overall risk-benefit balance will not be disturbed.

3. *Comment.* Citing that the amended terms were requested in response to atypical weather patterns during the 1998 growing season (63 FR 56178), Vermont comments that, "managing environmental policy based on the weather is also not the Agency's mandate or responsibility. The weather is far too variable a factor to serve as a valid criteria for setting national environmental policy ..."

4. *Response.* Weather patterns often have significant effects on agriculture and pest control situations which form the basis for national pesticide regulatory policy. The atypical weather patterns of the 1998 growing season are only one factor in EPA's evaluation of the registrants' requested amendment. EPA also takes into consideration the concerns of growers, as well as registrants and applicators, when making decisions. In this case, the Agency received calls from sweet corn growers requesting permission to use cyanazine at the higher rate of 3.0 lbs/acre until the end of the phase-out period and information from the registrants noting that less cyanazine was used than originally anticipated. EPA balanced the growers' and registrants' concerns with the risks posed by allowing the 3.0 lbs/acre use rate to stay in place for one more growing season, and concluded that the overall risk will not be disturbed.

III. References

1. U.S. Environmental Protection Agency. "Notice of Receipt of Request to Amend the Terms and Conditions of Cyanazine Registrations." **Federal Register** Notice (63 FR 56178). October 21, 1998.

2. U.S. Environmental Protection Agency. "Notice of Preliminary Determination to Terminate Special Review; Notice of Receipt of Requests for Voluntary Cancellation." **Federal Register** Notice (61 FR 8185). March 1, 1996.

3. U.S. Environmental Protection Agency. "Cyanazine; Notice of Final Determination to Terminate Special Review of Cyanazine; Notice of Voluntary Cancellation and Cancellation Order of Cyanazine

Product Registrations." **Federal Register** Notice (61 FR 39023). July 25, 1996.

4. Communications between DuPont Agricultural Products and USEPA. Confidential Business Information.

5. Communications between Griffin Corporation and USEPA. Confidential Business Information.

List of Subjects

Environmental protection.

Dated: January 15, 1999.

Jack E. Housenger,

Acting Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 99-1476 Filed 1-21-99; 8:45 am]

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FARM CREDIT ADMINISTRATION

Sunshine Act Meeting

Farm Credit Administration Board; Amendment to Sunshine Act Meeting.

AGENCY: Farm Credit Administration.

SUMMARY: Pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), the Farm Credit Administration gave notice on January 11, 1999 (64 FR 1623) of the regular meeting of the Farm Credit Administration Board (Board) scheduled for January 14, 1999. This notice is to amend the agenda by adding an item for the open session of that meeting.

FOR FURTHER INFORMATION CONTACT: Floyd Fithian, Secretary to the Farm Credit Administration Board, (703) 883-4025, TDD (703) 883-4444.

ADDRESSES: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090.

SUPPLEMENTARY INFORMATION: Parts of this meeting of the Board were open to the public (limited space available), and parts of this meeting were closed to the public. The agenda for January 14, 1999, is amended by adding an item to the open session to read as follows:

OPEN SESSION

B. New Business

2. Policy Statement

—Temporary Relief for Pork Producers

Date: January 19, 1999.

Floyd Fithian,

Secretary, Farm Credit Administration Board.

[FR Doc. 99-1587 Filed 1-20-99; 2:52 pm]

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